

REMARKS

Claims 1-9 are rejected by the May 27, 2005 Office Action. Claims 1 and 9 are amended by the current amendment. Claims 1-9 are currently pending.

35 U.S.C. § 112, first paragraph

Claims 1-9 are rejected under 35 U.S.C 112, first paragraph, as failing to comply with the enablement requirement. The Office Action asserts that the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to make or use the invention. In response to this rejection claims 1 and 9 are amended to recite language that does enable one skilled in the art to use the invention as claimed.

Specifically, claim 1 is amended to treat a bacterial infection by administering a therapeutically effective amount of the compound to a patient in need. Support for this amendment is found throughout the specification and specifically at paragraph 26. Guidance for administering the compound to a patient is provided in the specification beginning at paragraph 26 and extending through paragraph 31. In those paragraphs, factors such as dosing amounts and schedules, administration routes, composition forms and adjuvants, carriers, and other factors one skilled in the art should consider in administering the compound are disclosed. As indicated in the Office Action, the level of skill in the art is high, generally that of a Ph.D or M.D, so the level of guidance is sufficient.

Claim 1 is also amended to recite that the bacterium is of a type that controls virulence factors by quorum sensing. Support for this amendment is found throughout the specification and specifically at paragraph 33 and 38. The Office Action indicates that the claims are very broad and inclusive of all types of bacteria. This amendment limits the type of bacteria and provides those skilled in the art with guidance to identify which bacteria can be treated with the claimed compound without undue experimentation.

Claim 9 is also amended. Claim 9 is now an independent claim directed to method of controlling bacterial growth attached to a solid surface. Support for the amendment can be found throughout the specification and specifically at paragraphs 22 and 23. Claim 9 is also

amended to identify the bacteria as a type that controls growth by quorum sensing. Support for this amendment can be found throughout the specification and specifically at paragraph 23. The claim as currently amended now recites a specific application and type of bacteria. Guidance for identifying a specific bacteria is found within the specification to those of skill in the art. The specification provides a description of where biofilm formation may exist, why it needs to be controlled (either stimulating it or hindering it), and confirms that the particular amounts for a given application can be determined by routine experimentation.

In view of the foregoing, Applicants submit that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

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